

Image

03-30-04

1644

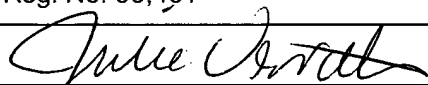
EXPRESS MAIL NO. EV449556660US

TRANSMITTAL FORM (To be used for all correspondence after initial filing)	Application Number	09/164,223
	Filing Date	September 30, 1998
	First Named Inventor	Alexander Gaiger
	Art Unit	1644
	Examiner Name	Ronald B. Schwadron
	Attorney Docket No.	210121.465

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Third Supplemental Information Disclosure Statement; Forms PTO-1449 (9 Sheets) <input checked="" type="checkbox"/> 109 Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (<i>Appeal Notice, Brief, Reply Brief</i>) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input type="checkbox"/> Additional Enclosure(s) (<i>please identify below</i>): _____ _____ _____ _____
Remarks		

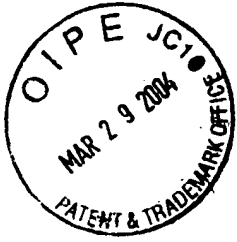
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name	Julie A. Urvater, Ph.D., Patent Agent Reg. No. 50,461	Customer Number 00500
Signature		
Date	March 29, 2004	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
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EXPRESS MAIL NO. EV449556660US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Alexander Gaiger and Martin A. Cheever
Application No. : 09/164,223
Filed : September 30, 1998
For : COMPOSITIONS AND METHODS FOR WT1 SPECIFIC
IMMUNOTHERAPY

Examiner : Ronald B. Schwadron
Art Unit : 1644
Docket No. : 210121.465
Date : March 29, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents:

In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, applicants wish to make known to the U.S. Patent and Trademark Office the references set forth on the attached Form PTO-1449 (copies of the cited references are enclosed). As to any reference supplied, applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing under 37 C.F.R. § 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, applicants believe that their invention is patentable.

Applicants note that reference AI (JP 11-89596) is written in Japanese. Accordingly, the Examiner's attention is respectfully directed to references GL-GN, and HC, which present English abstracts and the relevant nucleotide sequences.

Applicants note that reference AJ (JP 11-89599) is written in Japanese. Accordingly, the Examiner's attention is respectfully directed to references HD-HJ, which present English abstracts and the relevant nucleotide sequences.

Applicants note that reference AM (WO 96/38176) is written in Japanese. Accordingly, the Examiner's attention is respectfully directed to references DC-DN, and EC, which present English abstracts and the relevant nucleotide sequences.

Applicants note that reference AN (WO 99/03506) is written in Japanese. Accordingly, the Examiner's attention is respectfully directed to references FF-FN, and GC-GJ, which present English abstracts and the relevant nucleotide sequences.

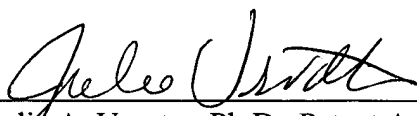
Applicants note that reference AO (WO 00/06602) is written in Japanese. Accordingly, the Examiner's attention is respectfully directed to references HK-HN, and IC-IF, which present English abstracts and the relevant nucleotide sequences.

Please acknowledge receipt of this Third Supplemental Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

Applicants believe this Information Disclosure Statement has been timely filed, however, the Director is authorized to charge any fee due by way of this Information Disclosure Statement to our Deposit Account No. 19-1090.

Respectfully submitted,

Seed Intellectual Property Law Group PLLC


Julie A. Urvater, Ph.D., Patent Agent
Registration No. 50,461

JAU:ljt

Enclosures:

Postcard

Transmittal Form

Form PTO-1449 (9 Sheets)

Cited References (109)

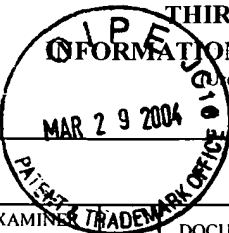
701 Fifth Avenue, Suite 6300

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Fax: (206) 682-6031

V469190

FORM PTO-1449 (REV.7-80)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 210121.465	APPLICATION NO. 09/164,223	
 THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT <small>(Use several sheets if necessary)</small>				APPLICANTS Alexander Gaiger et al.		
				FILING DATE September 30, 1998		GROUP ART UNIT 1644
U.S. PATENT DOCUMENTS						
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
AA	5,633,142	05/27/97	Herlyn et al.	435	7.23	
AB	5,670,317	09/23/97	Ladanyi et al.	435	6	
AC	5,693,522	12/02/97	Chada et al.	435	2.402	
AD	5,726,288	03/10/98	Call et al.	530	350	
AE	6,034,235	03/07/00	Sugiyama et al.	536	24.5	
AF	6,277,832	08/21/01	Sugiyama et al.	514	44	
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION		
				YES	NO	
AG	EP 1004319 A1	05/31/00	EPO			
AH	EP 1103564 A1	05/30/01	EPO			
AI	JP 11-89596 A	04/06/99	Japan		X	
AJ	JP 11-89599 A	04/06/99	Japan		X	
AK	WO 94/21287	09/29/94	WIPO			
AL	WO 95/29995	11/09/95	WIPO			
AM	WO 96/38176	12/05/96	WIPO		X	
AN	WO 99/03506	01/28/99	WIPO		X	
AO	WO 00/06602	02/10/00	WIPO		X	
AP	WO 01/60970	08/23/01	WIPO			
AQ	WO 01/94629	12/13/01	WIPO			
AR	WO 02/00677	01/03/02	WIPO			
OTHER PRIOR ART <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>						
AS	Oka, Y. et al., "Wilms Tumor Gene Peptide-Based Immunotherapy for Patients with Overt Leukemia from Myelodysplastic Syndrome (MDS) or MDS with Myelofibrosis," <i>International Journal of Hematology</i> 78: 56-61, 2003.					
EXAMINER				DATE CONSIDERED		
* EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant(s).						

FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
210121.465APPLICATION NO.
09/164,223THIRD SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT
(Use separate sheets if necessary)

APPLICANTS

Alexander Gaiger et al.

FILING DATE

September 30, 1998

GROUP ART UNIT

1644

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
BA	6,316,599 B1	11/13/01	Call et al.	530	387.7	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
				YES	NO
BB					

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

BC	GenBank Database, Accession No. A39692, February 16, 1997.
BD	GenBank Database, Accession No. AAA36810, June 15, 1990.
BE	GenBank Database, Accession No. AAA62825, October 27, 1994.
BF	GenBank Database, Accession No. AAB33427, May 12, 1995.
BG	GenBank Database, Accession No. AAB33443, July 11, 1995.
BH	GenBank Database, Accession No. AAC60039, November 8, 1996.
BI	GenBank Database, Accession No. BAA94794, April 21, 2000.
BJ	GenBank Database, Accession No. CAA35956, May 29, 1991.
BK	GenBank Database, Accession No. CAA43819, December 3, 1993.
BL	GenBank Database, Accession No. CAA59736, February 13, 1996.
BM	GenBank Database, Accession No. I51960, November 5, 1999.
BN	GenBank Database, Accession No. M30393, June 15, 1990.

EXAMINER

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(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.

210121.465

APPLICATION NO.

09/164,223

THIRD SUPPLEMENTAL
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(Use several sheets if necessary)

MAR 29 2004

APPLICANTS

Alexander Gaiger et al.

FILING DATE

September 30, 1998

GROUP ART UNIT

1644

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
CA						

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
				YES	NO
CB					

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

CC	GenBank Database, Accession No. NM_000378, November 5, 2000.
CD	GenBank Database, Accession No. NM_024424, March 20, 2001.
CE	GenBank Database, Accession No. NM_024426, March 20, 2001.
CF	GenBank Database, Accession No. NP_000369, November 5, 2000.
CG	GenBank Database, Accession No. NP_077742, March 20, 2001.
CH	GenBank Database, Accession No. NP_077743, March 20, 2001.
CI	GenBank Database, Accession No. NP_077744, March 20, 2001.
CJ	GenBank Database, Accession No. NP_113722, April 6, 2003.
CK	GenBank Database, Accession No. O62651, November 1, 1998.
CL	GenBank Database, Accession No. P50902, October 1, 1996.
CM	GenBank Database, Accession No. S75264, July 11, 1995.
CN	GenBank Database, Accession No. X51630, May 29, 1991.

EXAMINER

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ATTY. DOCKET NO.

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APPLICATION NO.

09/164,223

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(Use several sheets if necessary)

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Alexander Gaiger et al.

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1644

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
DA						

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
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DB					

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

DC	Geneseq Database, Accession No. AAT45130, August 19, 1997.
DD	Geneseq Database, Accession No. AAT45131, August 20, 1997.
DE	Geneseq Database, Accession No. AAT45132, August 20, 1997.
DF	Geneseq Database, Accession No. AAT45133, August 20, 1997.
DG	Geneseq Database, Accession No. AAT45134, August 20, 1997.
DH	Geneseq Database, Accession No. AAT45135, August 20, 1997.
DI	Geneseq Database, Accession No. AAT45136, August 20, 1997.
DJ	Geneseq Database, Accession No. AAT45137, August 20, 1997.
DK	Geneseq Database, Accession No. AAT45138, August 20, 1997.
DL	Geneseq Database, Accession No. AAT45139, August 20, 1997.
DM	Geneseq Database, Accession No. AAT45140, August 20, 1997.
DN	Geneseq Database, Accession No. AAT45141, August 20, 1997.

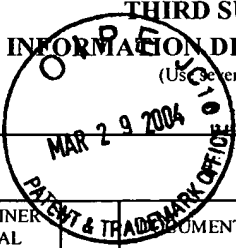
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THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				APPLICANTS Alexander Gaiger et al.			
				FILING DATE September 30, 1998		GROUP ART UNIT 1644	
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
EA							
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EC		Geneseq Database, Accession No. AAT45142, August 20, 1997.					
ED		Geneseq Database, Accession No. AAT97855, March 9, 1998.					
EE		Geneseq Database, Accession No. AAT97856, March 9, 1998.					
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EJ		Geneseq Database, Accession No. AAT97861, March 9, 1998.					
EK		Geneseq Database, Accession No. AAT97862, March 9, 1998.					
EL		Geneseq Database, Accession No. AAT97863, March 9, 1998.					
EM		Geneseq Database, Accession No. AAT97864, March 9, 1998.					
EN		Geneseq Database, Accession No. AAT97865, March 9, 1998.					
EXAMINER				DATE CONSIDERED			
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THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT <small>(Use several sheets if necessary)</small>				APPLICANTS Alexander Gaiger et al.			
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U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
FA							
FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION			
				YES NO			
FB							
OTHER PRIOR ART <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
FC	Geneseq Database, Accession No. AAT97866, March 9, 1998.						
FD	Geneseq Database, Accession No. AAT97867, March 9, 1998.						
FE	Geneseq Database, Accession No. AAT97868, March 9, 1998.						
FF	Geneseq Database, Accession No. AAX15839, May 11, 1999.						
FG	Geneseq Database, Accession No. AAX15840, May 11, 1999.						
FH	Geneseq Database, Accession No. AAX15841, May 11, 1999.						
FI	Geneseq Database, Accession No. AAX15842, May 11, 1999.						
FJ	Geneseq Database, Accession No. AAX15843, May 11, 1999.						
FK	Geneseq Database, Accession No. AAX15844, May 11, 1999.						
FL	Geneseq Database, Accession No. AAX15845, May 11, 1999.						
FM	Geneseq Database, Accession No. AAX15846, May 11, 1999.						
FN	Geneseq Database, Accession No. AAX15847, May 11, 1999.						
EXAMINER				DATE CONSIDERED			
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THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (Use 30 general sheets if necessary) 				APPLICANTS Alexander Gaiger et al.			
				FILING DATE September 30, 1998		GROUP ART UNIT 1644	
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
GA							
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GB							
OTHER PRIOR ART <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
GC	Geneseq Database, Accession No. AAX15848, May 11, 1999.						
GD	Geneseq Database, Accession No. AAX15849, May 11, 1999.						
GE	Geneseq Database, Accession No. AAX15850, May 11, 1999.						
GF	Geneseq Database, Accession No. AAX15851, May 11, 1999.						
GG	Geneseq Database, Accession No. AAX15852, May 11, 1999.						
GH	Geneseq Database, Accession No. AAX15853, May 11, 1999.						
GI	Geneseq Database, Accession No. AAX15854, May 11, 1999.						
GJ	Geneseq Database, Accession No. AAX15855, May 11, 1999.						
GK	Geneseq Database, Accession No. AAX23927, June 25, 1999.						
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GN	Geneseq Database, Accession No. AAX23930, June 25, 1999.						
EXAMINER				DATE CONSIDERED			
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THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT <small>(Use several sheets if necessary)</small>				APPLICANTS Alexander Gaiger et al.			
				FILING DATE September 30, 1998		GROUP ART UNIT 1644	
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	HA						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION		
					YES	NO	
	HB						
OTHER PRIOR ART <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
	HC	Geneseq Database, Accession No. AAX23931, June 25, 1999.					
	HD	Geneseq Database, Accession No. AAX34315, July 6, 1999.					
	HE	Geneseq Database, Accession No. AAX34316, July 6, 1999.					
	HF	Geneseq Database, Accession No. AAX34317, July 6, 1999.					
	HG	Geneseq Database, Accession No. AAX34318, July 6, 1999.					
	HH	Geneseq Database, Accession No. AAX34319, July 6, 1999.					
	HI	Geneseq Database, Accession No. AAX34320, July 6, 1999.					
	HJ	Geneseq Database, Accession No. AAX34321, July 6, 1999.					
	HK	Geneseq Database, Accession No. AAY80196, May 24, 2000.					
	HL	Geneseq Database, Accession No. AAY80197, May 24, 2000.					
	HM	Geneseq Database, Accession No. AAY80198, May 24, 2000.					
	HN	Geneseq Database, Accession No. AAY80199, May 24, 2000.					
EXAMINER				DATE CONSIDERED			
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(REV.7-80)U.S. DEPARTMENT OF COMMERCE
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ATTY. DOCKET NO.

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APPLICATION NO.

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**THIRD SUPPLEMENTAL
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(Use several sheets if necessary)

APPLICANTS

Alexander Gaiger et al.

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GROUP ART UNIT

1644

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
IA						

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
				YES	NO
IB					

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

IC	Genseq Database, Accession No. AAY80200, May 24, 2000.
ID	Genseq Database, Accession No. AAY80201, May 24, 2000.
IE	Genseq Database, Accession No. AAY80202, May 24, 2000.
IF	Genseq Database, Accession No. AAY80203, May 24, 2000.
IG	Genseq Database, Accession No. ABP42234, August 22, 2002.
IH	
II	
IJ	
IK	
IL	
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